

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| CERVECERÍA MODELO DE MÉXICO, S. DE R.L. DE C.V., | X | |
| | : | |
| | : | |
| Plaintiff, | : | |
| v. | : | |
| | : | No. 1:21-CV-07316-LAK |
| CB BRAND STRATEGIES, LLC, | : | |
| CROWN IMPORTS LLC, and | : | |
| COMPAÑÍA CERVECERA DE | : | |
| COAHUILA, S. DE R.L. DE C.V., | : | |
| | : | |
| Defendants. | : | |
| | X | |

[AMENDED PROPOSED] FINAL JUDGMENT OF INJUNCTION

Pursuant to Fed. R. Civ. P. 58 and 65, Plaintiff Cervecería Modelo de México, S. de R.L. de C.V. (“Modelo”) and Defendants CB Brand Strategies, LLC, Crown Imports LLC, and Compañía Cervecera de Coahuila, S. de R.L. de C.V. (collectively, “Defendants” or “Constellation”), having resolved this action pursuant to Defendants’ Offer of Judgment Pursuant to Rule 68 of the Federal Rules of Civil Procedure, which was accepted by Plaintiff on September 7, 2023, **the Court hereby enters FINAL JUDGMENT** as follows:

1. Defendants, including their agents, officers, directors, employees, franchisees, licensees, affiliates, principals, subsidiaries, parents, servants, representatives, attorneys, shareholders, divisions, successors, and assigns, and all those in active concert or participation with them who receive notice of this Final Judgment directly or otherwise, are permanently enjoined from producing, marketing or selling either of the Modelo Reserva products: Modelo Reserva beer claiming to be finished on aged wood from Tequila Barrels, or Modelo Reserva beer claiming to be finished on aged wood from Bourbon Barrels. For the avoidance of doubt, this

Final Judgment does not prohibit Defendants, or any other persons or entities subject to this Final Judgment, from later producing, marketing, or selling a product bearing the trademark “Modelo Reserva” or using the term “Reserva” in connection with any other later adopted Brand Extension Mark or Brand Extension Beer (as defined in the Sublicense), provided that such product does not claim to be “Finished on aged wood from Tequila Barrels” or “Finished from aged wood from Bourbon Barrels.”

2. Plaintiff shall recover its reasonable costs of suit through June 23, 2022 (not including any expert witness fees or attorneys’ fees), supported by documentary evidence and a sworn statement of Plaintiff’s counsel.

3. Without any admission by Defendants of liability or harm, this action is dismissed with prejudice.

IT IS SO ORDERED AND ADJUDGED.

Dated: September ____, 2023

The Honorable Lewis A. Kaplan
UNITED STATES DISTRICT JUDGE